



Certification and Verification Changes from Reauthorization

Robert Eadie

Rosemary O'Connell

ANC

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PUBLIC LAW 108-265

- **On June 30, 2004, the President signed The Child Nutrition and WIC Reauthorization Act of 2004.**



Certification Changes

- **Direct Certification for Food Stamps – Phase-in begins July 1, 2006.**
- **Household Applications – July 1, 2005.**
- **Year-round eligibility – July 1, 2004.**
- **Categorical Eligibility for runaway, homeless, migrants – July 1, 2004.**
- **Exclusion of privatized military housing-July 1, 2004.**

Direct Certification



Mandatory Direct Certification for Food Stamp Households

Requires Local Educational Agencies (LEA) to “directly certify” as eligible for free meals any child who is a member of a *food stamp household* without further application.

Phase-in of Direct Certification for Food Stamp Households

- **Implementation is phased in:**
 - **SY 06-07 – 25,000 + enrolled**
 - **SY 07-08– 10,000 + enrolled**
 - **Beginning SY 08 - nationwide**

Mandatory Direct Certification for Food Stamp Households

- **NSLP State agencies to enter into an agreement with the State food stamp agency to establish procedures for direct certification.**
- **Food Stamp Act was also amended to require cooperation.**



Agreements

- **All States had to have a signed direct certification agreement by July 1, 2005.**
- **As of July 15, 2005, 28 States reported having a completed agreement.**

What FNS has done on Direct Certification

- **Implementation memos:**
 - **FSP memo, October 8, 2004**
 - **CND memo, November 15, 2004**
 - **Agreement Checklist, April 19, 2005**
- **Meeting in Jan. 2005 with our Federal, State and local program administrators and with Federal and State food stamp administrators.**

Direct Verification



Direct Verification

- **Permits use of “direct verification” of free and reduced price applications.**
- **Direct verification is using income and program participation information from public agencies administering certain means-tested programs.**
- **Became an option to local educational agencies: July 1, 2005.**

Programs for Direct Verification

- **The programs are:**
 - 1) Food stamps**
 - 2) Food Distribution Program on Indian Reservations (FDPIR)**
 - 3) State TANF**
 - 4) State Medicaid**
 - 5) or similar income-tested programs as determined by USDA.**



Direct Verification (cont.)

- **In order to facilitate “direct verification” through the Medicaid program, this section amends Medicaid law.**
- **Amendment allows States to exchange information necessary to verify eligibility for free or reduced-price school meals.**
- **Effective July 1, 2005**

Direct Verification Agreements

To facilitate use of direct verification, CN State agencies need agreement with other agencies used for direct verification

Evaluation

- **USDA must evaluate the effectiveness of direct verification.**
- **Evaluation must be done within 3 years of enactment (by June 30, 2007).**



Confidentiality/Disclosure

- **Act restates current confidentiality/disclosure requirements**
- **Information exchanged through direct certification/verification subject to safeguards**

Verification Timeframes

Each school year, LEAs must:

- Select the verification sample by October 1**
- Complete the verification process by November 15, including direct verification**
- Follow-up on all non-responses, including conflicts**

Verification

- **New verification requirements specified by law**
- **Provides alternatives depending on improvements made to non-response rate**

Basic Sample Size

The lesser of:

- **3% of all approved applications selected from “error-prone” applications;**

or

- **3,000 approved error-prone applications.**

Verification

Basic Sample Size (cont.)



- **“Error-prone” sample size is the same as “focused” in the former regulations.**
- **Error-prone income is within \$100/month (\$1,200/year) of the eligibility limit for F/RP benefits.**

Alternate Sample Size Options

In effect, same as current random sampling

- The lesser of 3000 / 3% of applications selected at random from approved applications

OR

- The lesser of 1000 / 1% of error prone applications selected from approved applications PLUS
- The lesser of 500 or $\frac{1}{2}$ of 1% of all approved applications that provided a FSP, FDPIR, or TANF case number

Eligibility for Alternate Sample Sizes

- **Any LEA with preceding school year nonresponse rate less than 20%**
- **Large LEAs with 10% improvement in nonresponse rate**
- **For SY 2005-2006 only, large LEAs that attempt direct verification from 2 sources – FSP, FDPIR, State TANF, State Medicaid.**

Verification

- **If there are not enough “error-prone” applications for basic sample size or alternate sample sizes, LEAs must randomly select additional applications to fulfill the percentage or number requirement.**

Example of Non-response Rate Improvement

- In school year 2003-2004, a LEA has a total of 30,000 approved applications

| SY 2003-04 | | |
|-----------------------|-------------------------------------|-------------------------------------|
| Approved Applications | Sample size | Non-response rate |
| 30,000 applications | 900 applications (3 % of 30,000) | 360 non-respondents (40% of 900) |

Example of Non-response Rate Improvement (cont.)

**Calculating level of improvement needed for
alternate sample size.**

| For SY 2004-05 | | |
|--|--|--|
| <u>Improvement</u> must be 10% | | |
| SY 2003-04 non- response rate | 10% Improvement rate needed | Non- response rate needed |
| 40% | 4% (40% x .10%) | 36% or lower (40%-4%) |

Example of Non-response Rate Improvement (cont.)

| SY 2004-05 | | | |
|----------------------------------|-----------------------------------|-----------------------------------|---|
| Approved Applications | Sample Size | Non- response rate | Improvement Determination |
| 32,000 | 960 (3% of 32,000) | 340 (or 35.4%) | 36% or below met? Yes— 35.4% |

SY 2005-06

- **The non-response rate improved by 10% between SY 2003-04 and SY 2004-05**
- **Therefore, this LEA is eligible to use one of the alternate sample sizes in SY 2005-06**

Sample Selection

- **On individual case review, LEAs may substitute up to 5% of their verification sample with other approved applications.**

Confirmation reviews of approved applications

Prior to verification of a selected application:

- **LEAs must have the initial determination on selected applications reviewed for accuracy by someone other than the original approving official.**
- **Exception: requirement waived if the LEA uses a “technology-based solution” that makes accurate eligibility determinations.**

Confirmation reviews (cont.)

If the initial determination is incorrect, the LEA must:

- (1) Correct the household's eligibility status;**
- (2) Notify the household of the change and explain changes; and**
- (3) Allow household to reapply and provide documentation**

Confirmation reviews (cont.)

- If a confirmation review indicates that a household is eligible, the LEA must proceed to verify the application.



Written Notice to Households

- **LEA must notify household it was selected for verification**
- **Notice requires household to submit information to confirm eligibility**
- **No charge contact number**
- **Effective July 1, 2005**

Verification Follow-up Activities

- **If household does not respond to verification requests, LEA must make at least 1 additional attempt to obtain verification**
- **LEAs may contract with a third party to assist with “follow-up”**

Thanks for your attention

Any questions?